APPLICATION ACCEPTED: March 11, 2011
PLANNING COMMISSION: September 15, 2011
BOARD OF SUPERVISORS: September 27, 2011
@ 3:30 p.m.

County of Fairfax, Virginia

September 1, 2011

STAFF REPORT

APPLICATION SE 2011-MV-002

CRD

MOUNT VERNON DISTRICT

APPLICANT:	Muhammad T. Butt
ZONING:	PDH-5, CRD, and HC
PARCEL:	110-1 ((27)) 11A
LOCATION:	8740 Talbott Farm Drive
SITE AREA:	4,150 square feet
PLAN MAP:	Residential; 2-3 du/ac
SPECIAL EXCEPTION CATEGORY:	Section 6-105: Home Child Care Facility
PROPOSAL:	To permit a home child care facility for a maximum of 10 children

STAFF RECOMMENDATIONS:

Staff recommends denial of SE 2011-MV-002. Should the Board of Supervisors choose to approve the special exception, staff recommends that the approval be subject to the proposed development conditions listed in Appendix 1.

It should be noted that it is not the intent of the staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

Nick Rogers

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703-324-1290 FAX 703-324-3924
www.fairfaxcounty.gov/dpz

The approval of this special exception does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

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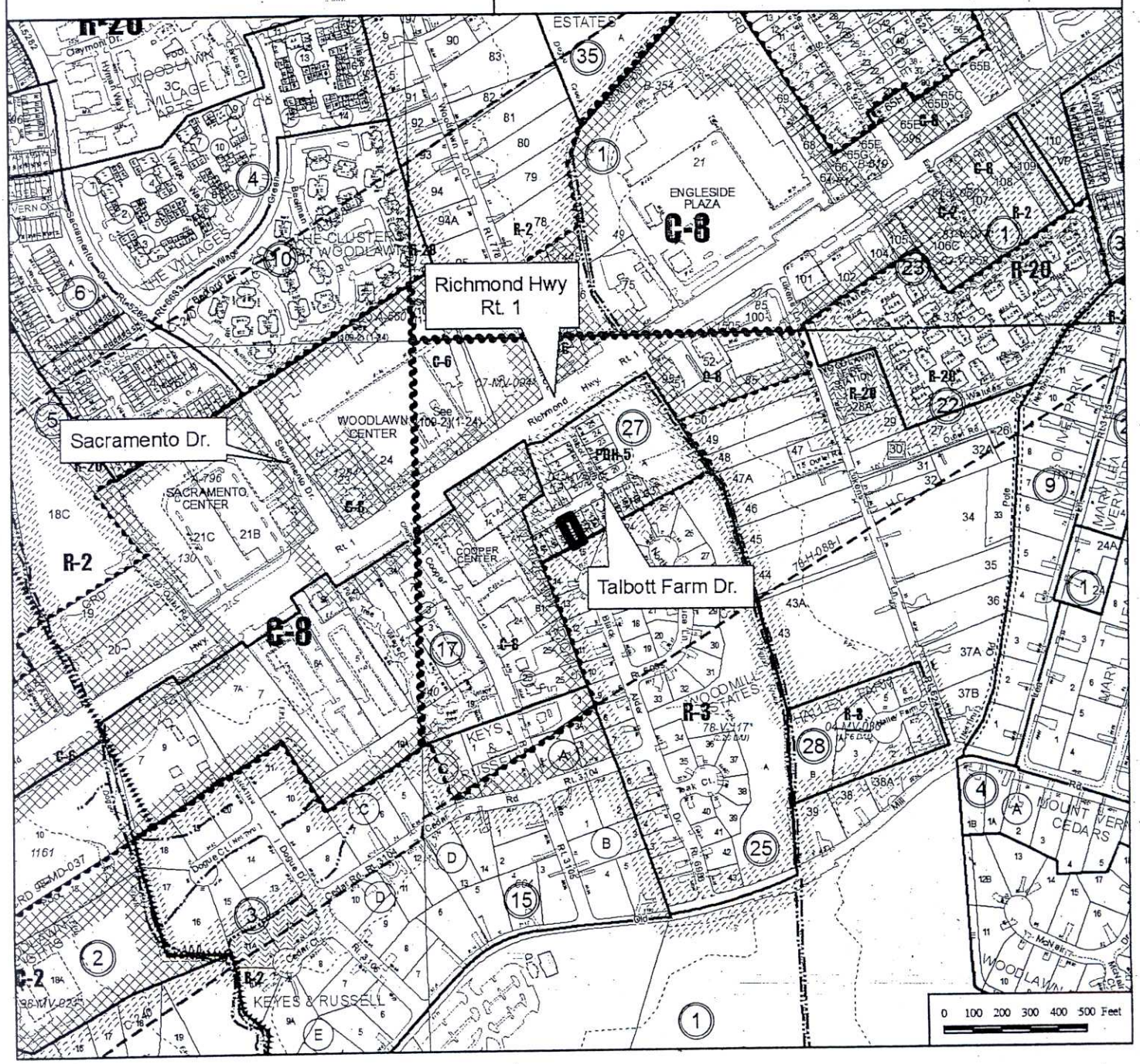
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Exception

SE 2011-MV-002

Applicant:	MUHAMMAD T BUTT
Accepted:	03/11/2011
Proposed:	HOME CHILD CARE
Area:	4150 SF OF LAND; DISTRICT - MOUNT VERNON
Zoning Dist Sect:	06-0105
Art 9 Group and Use:	0-05
Located:	8740 TALBOTT FARM DRIVE
Zoning:	PDH- 5
Plan Area:	4
Overlay Dist:	CRD HC
Map Ref Num:	110-1- /27/ /0011A



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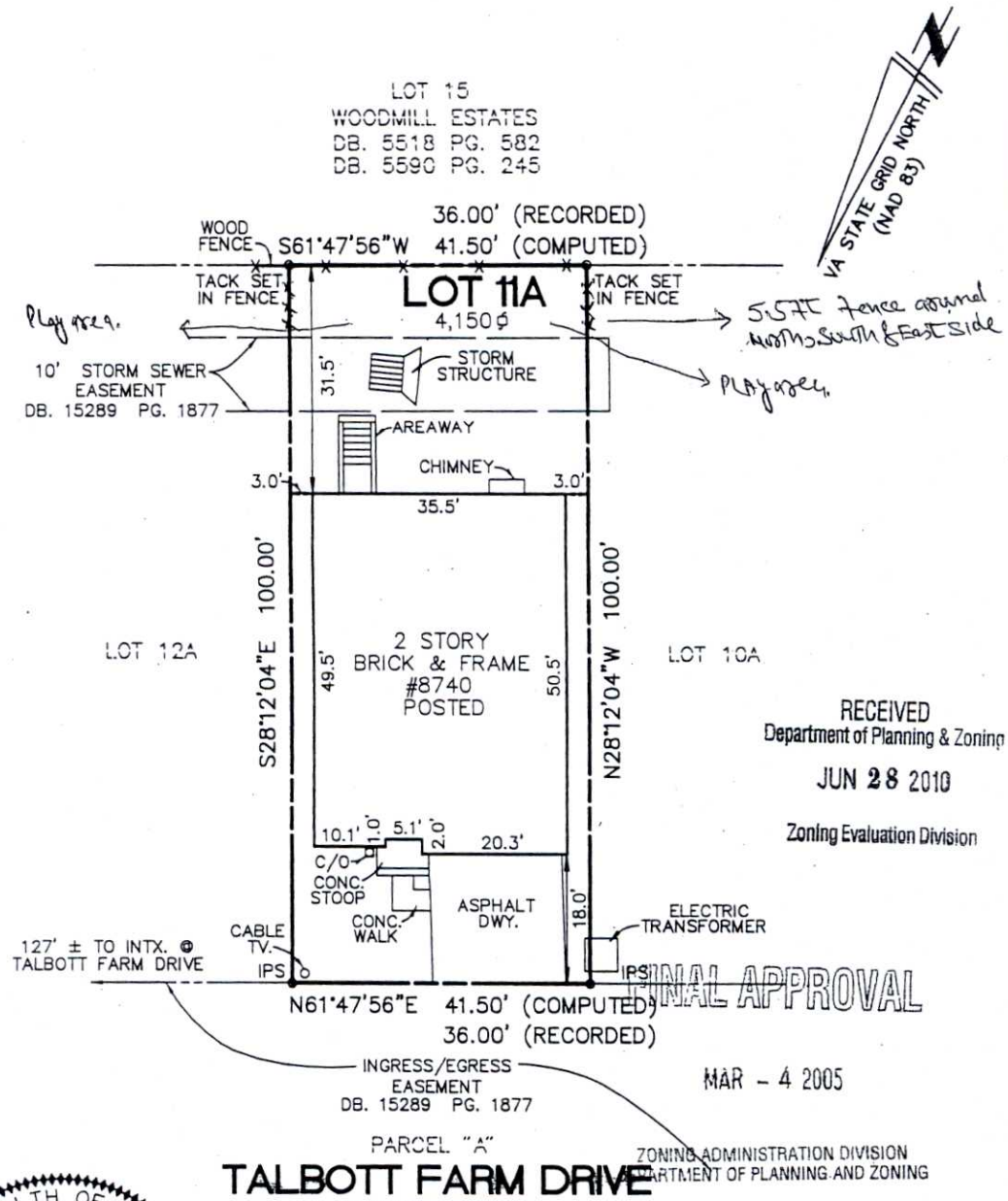
THIS LOT IS WITHIN ZONE "X"
PER F.E.M.A. MAP.



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Department of Planning & Zoning
JUN 28 2010
Zoning Evaluation Division

FINAL APPROVAL
MAR - 4 2005
ZONING ADMINISTRATION DIVISION
DEPARTMENT OF PLANNING AND ZONING

COMMONWEALTH OF VIRGINIA
NED A. MARSHALL
No. 2015
2.10.05
LAND SURVEYOR

PHYSICAL IMPROVEMENT SURVEY

LOT 11A
TALBOTT PROPERTY

DEED BOOK 15992 PAGE 1542
MOUNT VERNON DISTRICT
FAIRFAX COUNTY, VIRGINIA

LEGEND:
C/O – CLEANOUT
IPS – IRON PIPE SET

BUILDER: RYAN SOUTH

DRAFTED BY: KFH

The Engineering Groupe Inc.
Engineers | Surveyors | Planners
13625 Office Place, Woodbridge, Virginia 22192
Phone (703) 670-0985 Fax (703) 670-7769

FINAL: FEBRUARY 10, 2005

NO TITLE REPORT FURNISHED	SCALE: 1"=20'	DATE: NOVEMBER 15, 2004

A GLOSSARY OF TERMS FREQUENTLY USED IN STAFF REPORTS WILL BE FOUND AT THE BACK OF THIS REPORT

DESCRIPTION OF THE APPLICATION

Proposal: The applicant, Muhammad Butt, is requesting a special exception to operate a home child care facility for up to ten children at any one time in his home.

Hours: 6:00 a.m. - 7:00 p.m., Monday through Friday

Parking: 2 spaces in the garage, 2 spaces in the driveway

Employees: 1 nonresident employee

A reduced copy of the submitted Special Exception (SE) plat is included at the front of the report. Copies of the proposed development conditions, affidavit, applicant's statement of justification, photos, children's arrival/departure information, and proposed pick-up/drop-off policy are included in Appendices 1-6, respectively.

LOCATION AND CHARACTER

The subject property is located at 8740 Talbott Farm Drive within a small neighborhood of 25 single-family, detached houses. The community is located adjacent to Richmond Highway, and has access to both Richmond Highway and Cooper Road via a service drive. The units are arranged in a close knit pattern; houses typically have small side yards of 3 feet, front yards of 20 feet and rear yards of 25 feet. Approximately 2.5 acres of the eastern portion of the community is a vacant, reforested area adjacent to the north fork of Dogue Creek. The neighborhood's density is 4.57 dwelling units per acre.

Each house has a two-car garage and a driveway that accommodates two cars side by side. The only street, Talbott Farm Drive, is a private street where on-street parking is not permitted. There are nine parking spaces devoted to common use located near a small recreation area in the neighborhood's western portion, which is also near the subject property. Parents who are picking up or dropping off their children have access to these space if any are available when they arrive.

BACKGROUND

The property was originally part of a larger 5.47 acre parcel that was used as a small farm. On March 4, 2002, the Board of Supervisors approved RZ 2001-MV-030 to rezone the site from the R-2 District to the PDH-5 District with proffers (Appendix 7). The final development plan (FDP) was previously approved

by the Planning Commission at their February 21, 2002 meeting. The FDP is attached along with its associated conditions in Appendix 8. The applicant's house was built in 2004, and a 10 foot wide, 15 foot long deck was built the same year adjacent to the house in the rear yard.

The Zoning Administration Division (ZAD) issued a notice of violation on June 15, 2010, related to the operation of a home child care facility with 12 children and two nonresident persons involved in the use. According to Section 10-103 (6) of the Zoning Ordinance, the maximum number of children permitted at any one time for home child care facilities located in a single-family, detached dwelling is seven. In addition, only one nonresident person is permitted to be involved with the home child care facility in addition to the provider who uses the dwelling as his or her primary residence.

The applicant has applied for a Special Exception to increase the maximum number of children to 10 in an effort to comply with the Zoning Ordinance. Should the applicant be unsuccessful in obtaining a Special Exception from the Board of Supervisors, the number of children at any one time must be reduced to seven, and the home child care facility would only be permitted to have one nonresident employee beyond the provider.

In conventional residential zoning districts, home child care facilities that propose more than seven children and/or more than one nonresident employee may be allowed by obtaining a special permit from the Board of Zoning Appeals (BZA). In this instance, the applicant must obtain a Special Exception from the Board of Supervisors because the property is zoned PDH-5. Section 6-105 of the Zoning Ordinance, applicable to all PDH zoning districts, states that land uses listed as a secondary use, such as home child care facilities, may be permitted with the approval of a special exception when such use is not specifically designated on an approved FDP. Since the use is not listed on the FDP, it must be approved either by special exception or an amendment to the FDP.

COMPREHENSIVE PLAN PROVISIONS

Plan Area:	Area IV
Planning District:	Mount Vernon Planning District
Planning Sector:	Woodlawn Community Business Center Sub-Unit B-1
Plan Map:	Residential Use, 4-5 du/ac

The property is located in the Woodlawn Community Business Center, which focuses on a cluster of three shopping centers near Richmond Highway's intersections with Cooper Road, Sacramento Drive, and Woodlawn Court.

The plan calls for redevelopment of this area to "relate to and complement the nearby tourist-oriented attractions", such as Woodlawn Plantation and Mount Vernon. Environmentally sensitive areas such as Dogue Creek exist nearby and should be protected, with degraded areas being restored.

The Talbott Farm Drive dwellings are located in Sub-unit B-1, which covers the parcels adjacent to Richmond Highway between Cooper Road and Lukens Lane. This area is planned for office and neighborhood retail uses with a floor-area ratio (FAR) of up to 0.35, with open space along Dogue Creek, buildings oriented toward Richmond Highway, and buffering between these properties and adjacent residential uses.

A higher density option exists for mixed-use development at a 0.5 FAR for some of the parcels if substantial parcel consolidation occurs. The parcels in the subject property's neighborhood were not included in this option, and are appropriate for residential use at 4-5 dwelling units per acre. The parcels along Talbott Farm Drive are specifically mentioned in the Plan as having exercised this latter option.

ANALYSIS

Special Exception Plat (Copy at front of staff report)

Title of SE Plat:	Lot 11A – Talbott Property
Prepared By:	Ned Marshall, LS - The Engineering Groupe
Original and Revision Dates:	November 15, 2004, as revised through February 10, 2005

A copy of the house location plat originally used to obtain the Residential Use Permit has been submitted by the applicant as the SE plat. The SE plat displays a two-story brick & frame house located in the center of a 41.5' x 100', 4,150 square foot lot. The subject property has an asphalt driveway approximately 18 feet from the property line and 19 feet wide, which leads to a two-car garage. The driveway is large enough to park two cars side-by-side and still keep the sidewalk clear for pedestrians. The improvements shown on the SE plat are all existing features, and no site changes or building modifications are proposed with this application.

The rear yard is approximately 1,307 square feet and contains steps leading to the basement and a storm sewer structure. Photographs submitted by the applicant, included in Appendix 4, show a wooden "trash rack" affixed over the storm structure's opening, which prevents large objects from entering the structure. A deck has been added to the property since the plat was completed in 2005. The yard is surrounded by a 5.5-foot tall board-on-board fence. Finally, the applicant has identified a play area in the rear yard with a swing set and slides.

Land Use Analysis

The proposed use of a home child care facility is appropriate for this location and compatible with the surrounding community. The intensity of the use, however, creates impacts associated with parking and vehicular circulation within the neighborhood. Parking is addressed in the analysis below. In addition, the presence of a storm sewer structure in the backyard makes for a play area that contains a potential hazard for children playing in the backyard. The sewer structure, along with the board-on-board fence, is within the mandatory six-foot clear zone required by state standards for stationary outdoor play equipment like swing sets.

Issue: Parking

The Zoning Ordinance requires three off-street parking spaces per single family detached dwelling unit that fronts on a private street, which is a general requirement for all residences of this type. In an effort to accommodate the home child care's parking needs on the property, the applicant should also provide one space for the nonresident day care employee. These requirements can be met onsite with the two-car garage and one parking space in the driveway devoted to an employee. However, this would leave only one other driveway space that can be set aside for parents to pick up and drop off their children or for periodic inspections by social services inspectors. The applicant would need to provide more than one space to accommodate these activities.

The applicant states he only uses the two-car garage to store vehicles, and the driveway is kept clear for parents' arrival and departure. In addition, the applicant states that the current nonresident employee does not use a car, freeing up space in the driveway to accommodate the home child care use. Staff has not factored this into the parking analysis, given the fact that future nonresident staff may travel to the subject property by using a car amongst other transportation options.

Resolution:

While the applicant has worked to manage the home child care's parking needs, staff is not comfortable suggesting conditions that would mandate employees to not use cars or that restricted the use of the applicant's driveway. Moreover, the parcel's small size prevents the applicant from implementing options to add additional parking spaces on his property. This issue remains unresolved.

Transportation Analysis (Appendix 11)

Issue: Pick-up and Drop-off of Children

The parents of day care children primarily use the applicant's driveway for picking up and dropping off. The driveway is big enough for two cars to fit side by side. Should a third car arrive, the parent may use one of the community's nine common spaces that are within close proximity. If these spaces are not available, then

parents must use other options that are not permitted, such as illegally parking along the street or parking in a neighbor's driveway. This spillover onto other properties in the neighborhood can create traffic and parking congestion for the other residents, and was a catalyst for the initial complaint that led to the zoning violation.

The applicant has provided staff with the arrival and departure times of children currently enrolled at the day care (Appendix 5). Most arrivals and departures are spaced out by 30 minute intervals, but four families arrive in the morning between 8:00 a.m. and 8:50 a.m.

Resolution:

The applicant has proposed to use a pick-up and drop-off policy that all parents would need to follow; the policy has been attached as Appendix 6. The policy promotes using the common area spaces, but these spaces are often used by residents and do not have guaranteed availability to mitigate adverse impacts on the surrounding residential units. All pick-up/drop-off for children must take place on the applicant's property and must function without the usage of the common area parking spaces, which are provided for the residents' use.

While staff has included development conditions in Appendix 1 that would formalize the staggered arrival and departure times, as well as included a revised version of the applicant's policy, staff does not foresee these conditions fully mitigating the impacts associated with the spillover of vehicles on to neighboring properties. The issue remains unresolved.

Revitalization Analysis (Appendix 12)

The Office of Community Revitalization and Reinvestment (OCRR) expressed concerns with the storm structure located in the middle of the dwelling's rear yard. This yard doubles as the outdoor play area for the home child care facility. Specifically, OCRR staff was concerned with the inlet creating a safety hazard for children playing outside.

ZONING ORDINANCE PROVISIONS

General Special Exception Standards (Sect. 9-006)

All special exception uses shall satisfy the following general standards:

1. *The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.*

   Based on the Policy Plan analysis found on pages 3-4 of this staff report, the proposed use does not meet locational guidelines #1 and #2 to provide sufficient open space and design for the safety of the children. In addition, the subject property's small driveway does not provide an appropriate parking area

for the proposed number of children, with little opportunity for on-site circulation. The storm sewer inlet and the play equipment's location in the rear yard make it more difficult for the applicant to ensure the safety of children. The use is not harmonious with the adopted Comprehensive Plan.

2. *The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.*

   The purpose and intent of the PDH zone focuses on the design and construction of dwellings, along with open space, mixed housing types, and housing affordability. The proposed use could be harmonious with the zone's purpose and intent.

3. *The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.*

   The proposed home child care facility has the potential to create adverse impacts on the neighboring dwellings due to traffic and parking conflicts. The remaining elements of this provision are not applicable to the proposed use.

4. *The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.*

   The dwelling's location is safe and convenient for both pedestrians and automobiles, given the presence of sidewalks and its proximity to Richmond Highway, a major north/south thoroughfare. However, parking for the dwelling's residents and parents with children who patronize the home child care facility is limited to the two-car garage and the two spaces available in the driveway. Due to the parcel's small size and the driveway's short length, on-site circulation for vehicles would be very difficult to manage. Cars must pull in and out of the driveway onto the narrow private street, which could create conflicts with residents leaving or arriving home. In most cases, the pick-up and drop-off of children can only be located in the driveway or by pedestrians who walk from nearby houses due to the lack of street parking and the regular usage of the common parking spaces. The minimal space between the neighborhood's driveways, magnified by the lack of room in the street and parking, adversely impacts the safety and convenience of access.

   Given the minimal parking on site and the prohibition of street parking along most of Talbott Farm Drive, multiple parents arriving at identical times for pick up or drop off would conflict with other motorists in the neighborhood.

The dwelling is located in the back of the community, over 300 feet away from Richmond Highway. While the facility's location is safe, the location of the play equipment poses a safety concern for children. The swing set and slides are too close to the rear fence line, and need to have six feet of clearance per state regulations for home child care facilities. These standards that govern outdoor play areas and equipment are listed in Appendix 10.

In addition, the storm structure in the rear yard could create a trip hazard or a safety hazard should the wooden trash rack that covers the opening not be properly maintained or removed. The Fairfax County Public Facilities Manual (PFM) provides standards for the construction of yard inlets, including the dimensions for the height and spread of the opening where water enters. However, the PFM does not include standards for the dimensions of the trash rack that can be used to cover the opening so that objects do not fall into the inlet. Appendix 10 gives clearer guidance for this situation, requiring that openings be smaller than 3 ½ inches or larger than 9 inches so that a child's head will not become trapped. The applicant has received no citations from state child care inspectors on the size of the trash rack openings.

The safest location for stationary outdoor play equipment would be six feet away from the storm structure and the board-on-board fence that surrounds the rear yard, but the lack of space in the rear yard for such clearance gives the applicant few options for an ideal location for the swing set.

5. *In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.*

   No additional landscaping or screening would be required for the proposed use.

6. *Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.*

   The PDH district requires a minimum of 35% of the gross area be landscaped open space. The FDP governing the subject property indicates that this requirement has been satisfied. Although the applicant's privacy yard exceeds the Zoning Ordinance's 200 square foot minimum, it is not adequately sized for a play area with 10 children.

7. *Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.*

   No site changes are proposed that would impact the existing utility or drainage facilities approved at the time the existing dwelling was constructed. The

house's parking is in accordance with Article 11, but any additional parking that the Board feels would be necessary could not be accommodated on site.

8. *Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.*

   Signs are not permitted for home child care facilities.

As stated on page 2 of this report, the applicant must request a special exception to increase the existing home child care facility's enrollment because the use is not specifically listed on the FDP. The standards to evaluate home child care facilities are listed in Article 8 of the Zoning Ordinance that governs the review of special permits, not special exceptions, because home child care most frequently is granted by special permit. These additional standards, as well as the standards for all Group 3 special permit uses, shall be used in evaluating the proposed use for special exception approval pursuant to Sect. 6-106(3) in the Zoning Ordinance.

Standards for all Group 3 Uses (Sect. 8-303)

All Group 3 uses shall satisfy the following standards:

1. *Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.*

   No site improvements are proposed with this use. The existing residential lot and home child care facility would comply with the lot size and bulk regulations for PDH districts.

2. *All uses shall comply with the performance standards specified for the zoning district in which located.*

   The proposed use would comply with all performance standards in Article 14.

3. *Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans*

   This standard is not applicable.

Additional Standards for Home Child Care Facilities (Sect. 8-305)

All home child care facilities shall satisfy the following standards:

1. *The number of children that may be cared for in a home child care facility may exceed the number of children permitted under Par. 6A of Sect. 10-103, but in*

no event shall the maximum number of children permitted at any one time exceed ten (10), excluding the provider's own children. The BZA may also allow more than one nonresident person to be involved with the use.

The applicant's request is to care for up to 10 children at any one time including one nonresident employee. While the applicant originally proposed two nonresidents involved with the use, he is now proposing only one nonresident.

2. *The BZA shall review all existing and/or proposed parking to determine if such parking is sufficient. The BZA may require the provision of additional off-street parking spaces based on the maximum number of vehicles expected to be on site at any one time and such parking shall be in addition to the requirement for the dwelling unit.*

   The existing parking on the subject property is insufficient to accommodate the proposed use because of the minimal parking on the subject property to serve both the residence and the home child care facility. Without more parking to serve the home child care use, parents who are arriving and departing with their children in cars could cause parking congestion in the common spaces, create traffic congestion by illegally parking on the street, or using other driveways for pick-up/drop-off purposes.

3. *The provisions of Article 13 shall not apply to home child care facilities; however, the BZA may require the provision of landscaping and screening based on the specifics of each application.*

   It is staff's assertion that no supplemental landscaping or screening would be needed for the proposed use at this location.

4. *Notwithstanding Par. 2 of Sect. 8-011, all applications shall be accompanied by ten copies of a plan drawn to scale. The plan, which may be prepared by the applicant, shall contain the following information:*

   a. *The dimensions, boundary lines and area of the lot or parcel.*
   b. *The location, dimensions and height of any building, structure or addition, whether existing or proposed.*
   c. *The distance from all property lines to the existing or proposed building, structure or addition, shown to the nearest foot.*
   d. *The dimensions and size of all outdoor recreation space and the location of such space in relation to all lot lines.*

   The applicant's submission conforms to this standard. The above information can be seen on the SE plat shown at the beginning of the staff report.

5. *All such uses shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.*

This standard references the chapter in the Code of Virginia related to the licensure and registration of home child care facilities. The applicant is a licensed child care provider that is subject to these regulations.

CONCLUSIONS

The applicant has made a commendable, concerted effort to operate the existing home child care facility in a way that would accommodate the maximum number of children allowed by the Zoning Ordinance. However, the proposed increase in enrollment with these management efforts will not overcome the following constraints:

- The inadequate play area in relation to the number of children requested;
- The lack of additional parking opportunities for picking up and dropping off both on- and off-street; and,
- The potential traffic congestion from multiple parents arriving and departing simultaneously.

Staff finds that the proposal for a home child care facility with 10 children is neither in harmony with the Comprehensive Plan nor in conformance with the applicable Zoning Ordinance provisions.

STAFF RECOMMENDATION

Staff recommends denial of SE 2011-MV-002. However, if it is the intent of the Board of Supervisors to approve SE 2011-MV-002, staff recommends that the approval be made subject to the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

The approval of this special exception does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to this application.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

APPENDICES

1. Proposed Special Exception Development Conditions
   a. Attachment 1 – Drop-Off and Pick-Up Policy
2. Special Exception Affidavit
3. Statement of Justification
4. Day Care Photos
5. Arrival/Departure Information for Families of Sunny Day Care
6. Pickup/Dropoff Policy for Sunny Day Care (submitted by applicant)
7. Proffers from RZ 2001-MV-030
8. Final Development Plan and CDP Development Conditions for RZ 2001-MV-030
9. State Board of Social Services Standards for Family Day Homes – *22 VAC 40-111-380. Space.*
10. State Board of Social Services Standards for Family Day Homes – *22 VAC 40-111-500. Outdoor play area and equipment.*
11. FCDOT Analysis
12. OCRR Analysis
13. Glossary of Terms

APPENDIX 1

PROPOSED DEVELOPMENT CONDITIONS

SE 2011-MV-002

September 1, 2011

If it is the intent of the Board of Supervisors to approve SE 2011-MV-002 located at 8740 Talbott Farm Drive, Tax Map 110-1 ((27)) 11A, for a home child care facility of up to ten children, pursuant to Sect. 6-105 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.

2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.

3. Any plan or permit submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled "Lot 11A – Talbott Property" prepared by The Engineering Groupe, Inc., consisting of one sheet dated February 10, 2005, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.

4. Excluding the provider's own children, the maximum number of children on-site at any one time shall not exceed ten and the maximum daily enrollment shall not exceed ten.

5. Hours of operation for the home child care facility shall not exceed 6:00 AM to 7:00 PM, Monday through Friday.

6. A maximum of one nonresident person, whether paid or not for their services, may be involved in the home child care facility, provided that there is only one such person on the property at any one time and the hours of such attendance shall be limited to 7:00 AM to 6:00 PM, Monday through Friday .

7. All loading and unloading of children, and all parking associated with the home child care facility, shall occur on-site.

8. The garage shall not be converted to any use which would preclude the parking of vehicles. At no time during the hours of operation of the home child care facility shall vehicles used by the residents be parked in the driveway.

9. The arrival and departure times of children who are being picked up and/or dropped off by automobile shall be staggered at intervals of a minimum of 15 minutes.

10. The provider shall secure from each family who receives child care services a commitment to abide by the policy entitled "Drop Off & Pickup Policy For Sunny Day Care", found in Attachment A to these conditions. The provider shall secure these commitments in writing and keep a copy on site and available for inspection by Fairfax County staff.

11. Any outdoor play area and equipment shall be set back a minimum of six feet from the perimeter of other play structures or obstacles and conform to all other state regulations related to outdoor play areas and equipment.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless, at a minimum, the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

ATTACHMENT 1

Drop Off and Pick Up Policy for Sunny Day Care

Dear Parents of Sunny Day Care Children,

As all of you know, we are running our home day care in a residential community, which makes it a little bit different from commercial day care centers. One of the biggest concerns we have while running this operation, and the one which needs your support and attention, is dropping off and picking up your children. Here are some policies that need to be in compliance by all means and at all times. These rules are necessary in order to peacefully run the day care in the community. Your cooperation will be greatly appreciated.

1. We request that at no time there should be any parking, lining up, or waiting with your car on Talbott Farm Drive. Our neighbors need to be able to access or leave their residences easily. Please allow all cars leaving from the neighborhood to exit prior to your entrance.
2. Only two cars at a time can be parked in our driveway. Please park to each side of the driveway so you don't block each other.
3. When backing up from driveway, be extremely attentive to what is behind you. Depending on the day, there may be a trash can, a neighbor backing up, or somebody walking behind you. Please consider safety first!
4. Please make sure that your child is under close supervision of yourself all the time you are walking on the driveway.
5. Please allow residents of Talbott Farm Drive to have priority in their movement.
6. During normal drop off and pickup times, please do not engage in conversation with the provider or other parents. This restricts the other parents' ability to park. It also will distract staff from properly supervising the children in care.
7. We will appreciate if you give us a courtesy call five minutes prior to your pick up so we can have your child ready when you arrive.
8. Finally, please don't park in our neighbor's driveways, walk in their yards, or use their drive way to turn your car.

If you follow these rules, it will aid us in not creating a problem with our neighbors. It will also provide a safer environment for all children and yourselves.

Your signature below indicates your acceptance of the above policy.

_____ _____

Name of Parent or Guardian Date

APPENDIX 2

SPECIAL EXCEPTION AFFIDAVIT

DATE: 4/2/11
(enter date affidavit is notarized)

I, MUHAMMAD T BUTT, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) [✓] applicant
[ ] applicant's authorized agent listed in Par. 1(a) below

111446a

in Application No.(s): SE 2011-MV-002
(enter County-assigned application number(s), e.g. SE 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS,** and **LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS,** and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(**NOTE:** All relationships to the application listed above in **BOLD** print are to be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	**ADDRESS** (enter number, street, city, state, and zip code)	**RELATIONSHIP(S)** (enter applicable relationships listed in **BOLD** above)
MUHAMMAD T BUTT	8740 TALBOTT FARM DR ALEXANDRIA VA 22309	APPLICANT/TITLE OWNER

(check if applicable) [ ] There are more relationships to be listed and Par. 1(a) is continued on a "Special Exception Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

SPECIAL EXCEPTION AFFIDAVIT

DATE: 04/2/10
(enter date affidavit is notarized)

111446a

for Application No. (s): SE 2011-MU-002
(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(**NOTE:** Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES,** and **REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code)

NA

DESCRIPTION OF CORPORATION: (check one statement)

[ ] There are 10 or less shareholders, and all of the shareholders are listed below.
[ ] There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
[ ] There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial and last name)

NA

(check if applicable) [ ] There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. ***In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.*** Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 4/2/11
(enter date affidavit is notarized)

for Application No. (s): SE 2011-MW-002
(enter County-assigned application number(s))

111 446a

1(c). The following constitutes a listing*** of all of the **PARTNERS,** both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, and number, street, city, state, and zip code)

NA

(check if applicable) [ ] The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

NA

(check if applicable) [ ] There is more partnership information and Par. 1(c) is continued on a "Special Exception Affidavit Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. ***In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.*** Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

SPECIAL EXCEPTION AFFIDAVIT

DATE: 4/2/11
(enter date affidavit is notarized)

for Application No. (s): SE 2011-MV-002
(enter County-assigned application number(s))

111 446 a

1(d). One of the following boxes **must** be checked:

[ ] In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER,** or **LESSEE*** of the land:

[✓] Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER,** or **LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (**NOTE**: If answer is none, enter "**NONE**" on the line below.)

NONE

(check if applicable) [ ] There are more interests to be listed and Par. 2 is continued on a "Special Exception Attachment to Par. 2" form.

Application No.(s): SE 2011-MU-002

(county-assigned application number(s), to be entered by County Staff)

SPECIAL EXCEPTION AFFIDAVIT

DATE: 4/2/11

(enter date affidavit is notarized)

111446a

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than $100, singularly or in the aggregate, with any of those listed in Par. 1 above.
EXCEPT AS FOLLOWS: (**NOTE**: If answer is none, enter "**NONE**" on line below.)

NONE

NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [ ] There are more disclosures to be listed and Par. 3 is continued on a "Special Exception Attachment to Par. 3" form.

4. **That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.**

WITNESS the following signature:

(check one) [✓] Applicant [ ] Applicant's Authorized Agent

MUHAMMAD T BUTT

(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 2nd day of April 20 11, in the State/Comm. of Virginia, County/City of Fairfax.

Notary Public

My commission expires: 02/28/2015

DARRELL DEVIN NOLTON
Notary Public
Commonwealth of Virginia
7088924
My Commission Expires Feb 28, 2015

FORM SEA-1 Updated (7/1/06)

RECEIVED
Department of Planning & Zoning
JUN 28 2010
Zoning Evaluation Division

APPENDIX 3

STATEMENT OF JUSTIFICATION

Sunny Day Care is a home based care facility for children between eight weeks to five years old. We operate from 6:00 am until 7:00 pm. The main objective is to provide a high quality home base care for children.

The State of Virginia has licensed our home for twelve children. The day care is staffed with two helpers that are certified in CPR and have previous day care experience. The day care is serving only six families; one parent with three kids, two families with two each, and three families have one kid. There are only ten kids present at one time.

All the parents come at different hours of the day, usually arriving in between 6:00 am to 9:00 am. Like-wise departure time is between 4:00 pm to 7:00 pm, which helps us to minimize traffic congestion. More than two parents are never present at one time, usually it is one parents at a time in the center.

There are two parking spaces in the garage, where my kids and I park. There are two parking spots available in the front drive way which are usually empty for parents parking. More so, there are seven spots for common use parking in the front left side of the house, where any body can park, street congestion has never been a problem. Both the helpers walk to the day care and therefore do not have cars. Parents have been advised to move their vehicles within ten minutes while dropping or picking their kids.

The child care is held in the basement of the house, approximately 2000 square feet. The basement has a master bedroom, one full bath, a full kitchen and a large living area. In addition to the bathroom that is in the basement, one bathroom is located on the first level floor and children have access to that bathroom if needed. For infant's, one separate bed room with the measurements of 10x10 is available on the first floor as well. The day care has two exits, one is toward the east side, which is the walkout of the basement and the second exit is at the first floor; both entrance are being used by parents and kids. The main entrance is from the first floor from the west side of the house. The back yard is fenced 5.5ft high and has a door with a lock. Children cannot reach the latch of the fence door. The back yard has a full two swing set, one seesaw, and one slide. There is one sand box and one sprinkler in the back yard.

The child care space is in full compliance with the state licensing. There are two monitors to observe children when they are sleeping. All the stairways have rails in compliance with state licensing as. There is a fire extinguisher available in the kitchen.

The house is a single family detached 4150 square feet, has a basement, a first floor, and a second floor. There are four doors and seventeen windows, and three exits .The structure has siding on the exterior, no additions are planned. The home has a big porch in the front and a back yard. Dwelling has central air and heating, and is served with public water system.

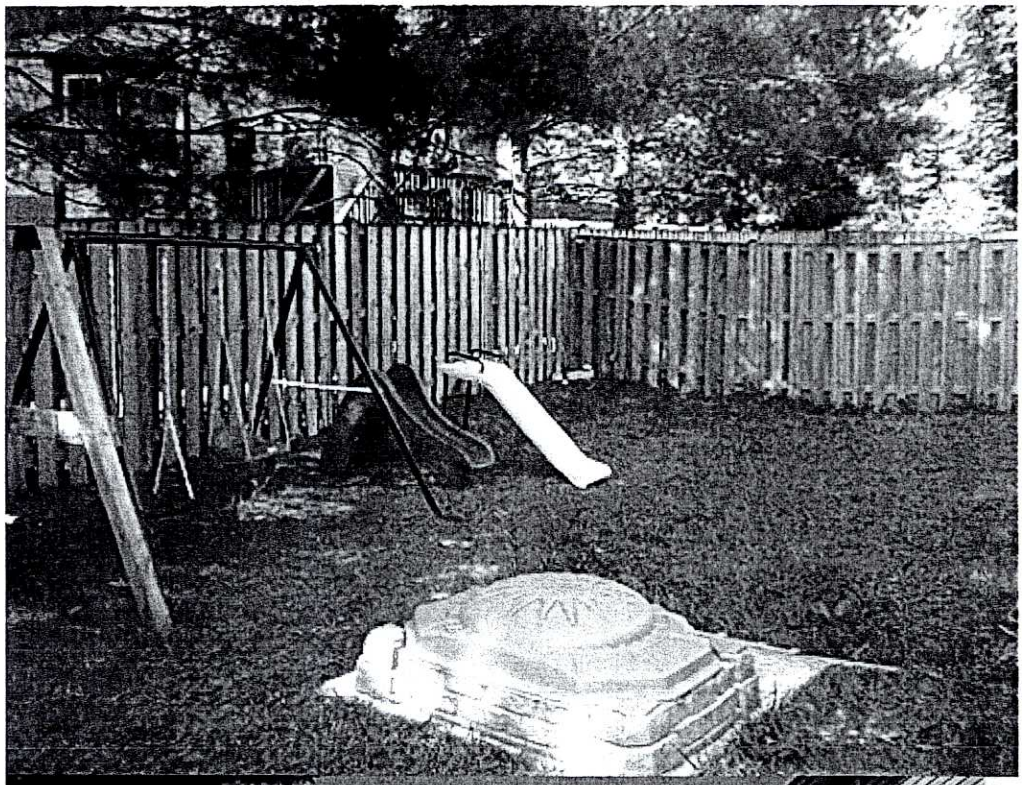
Play area outside
Back yard.
East Boundary
06/23/10

Play area
Back view
East side
6/23/10

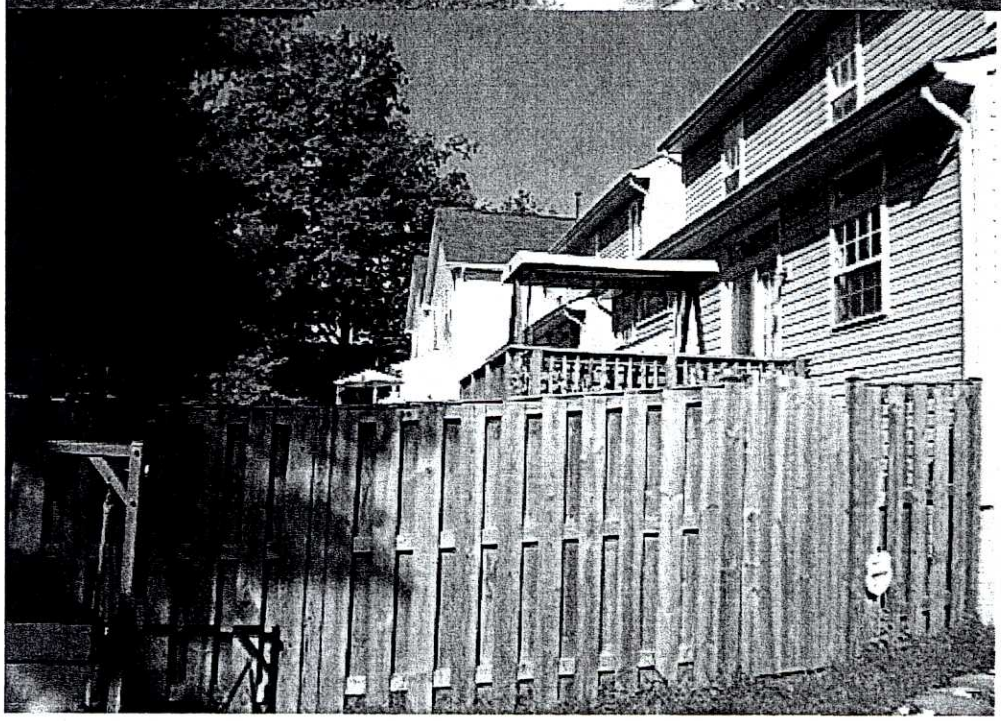
East side
Play area
6/23/10

Back View
East Boundry
6/23/10

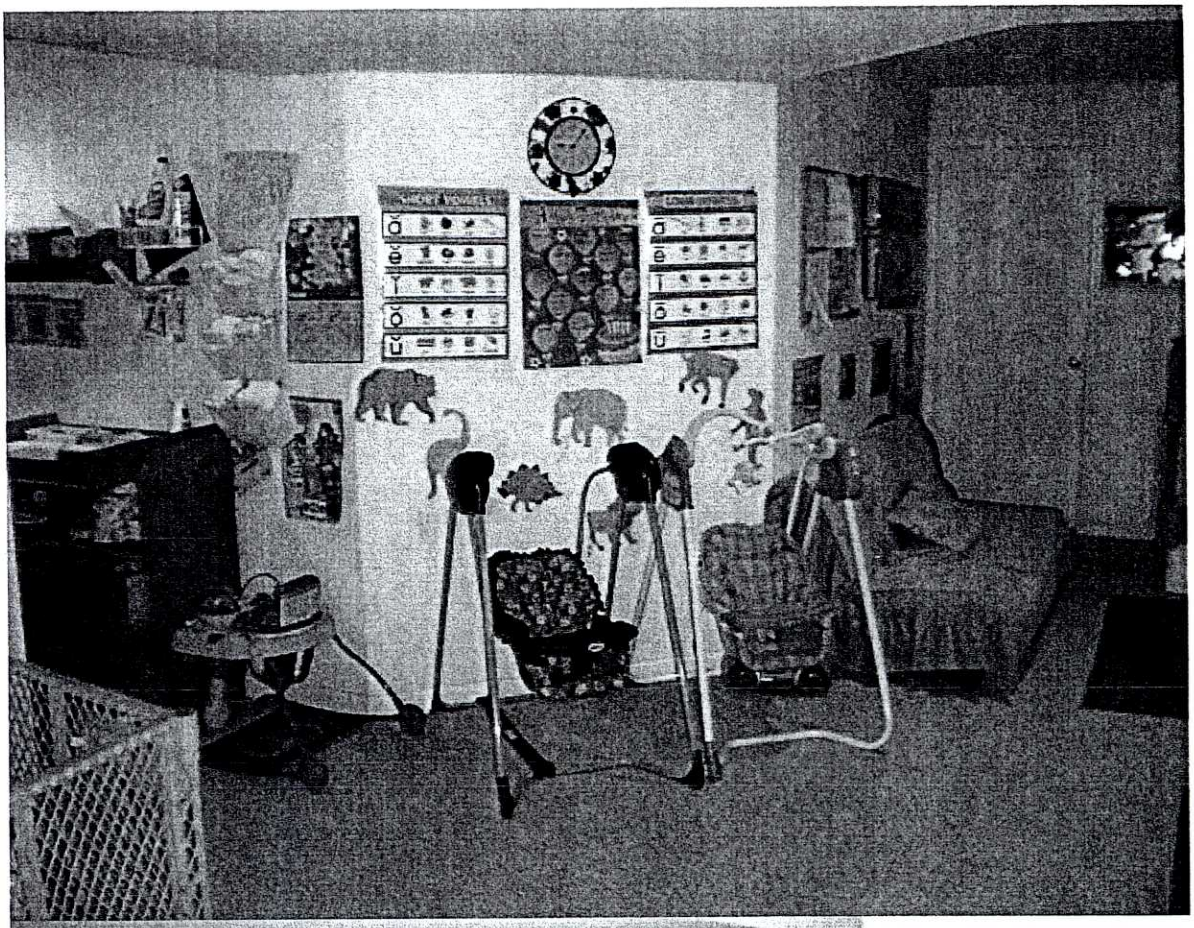
Fence North Boundry
06/23/10



Dry area
Facing
South
06/23/10

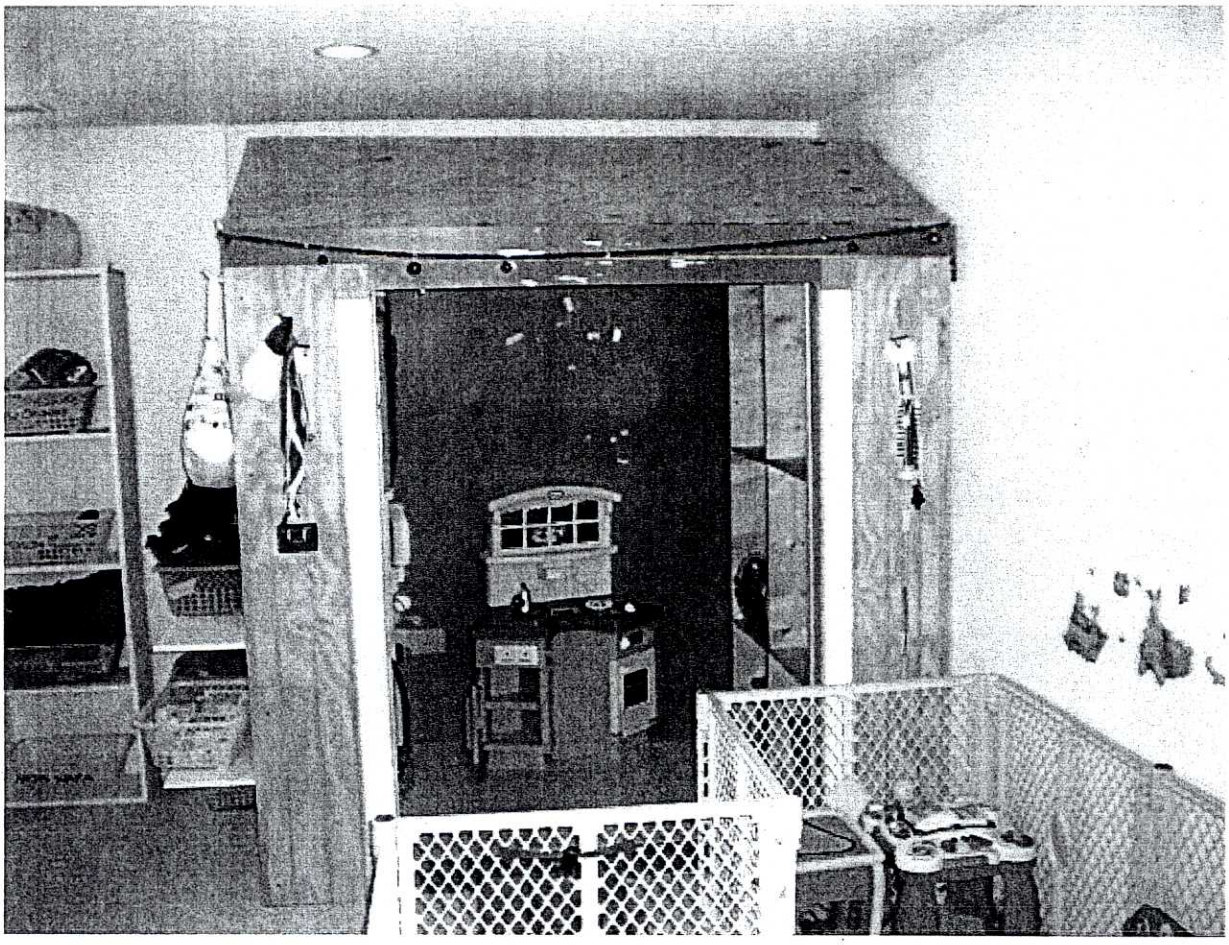


South Boundry
06/23/10



Indoor Play area
6/23/16

Indoor Play area
6/23/10



Indoor Play area
6/23/10

Commn use area indoor 6/23/10

APPENDIX 5

SE 2011-MV-002

Applicant - Muhammad T. Butt

Proposed Use – Home Child Care Facility with up to 10 children

Arrival and Departure Information for Currently Enrolled Children

	Number of Children	Arrival Time	Departure Time
Family #1	1	7:30am	3:00pm
Family #2	1	8:00am	3:30pm
Family #3	1	8:30am	4:00pm
Family #4	1	8:45am	5:00pm
Family #5	1	8:50am	4:30pm
Family #6	1	10:30am	6:00pm
Family #7	1	11:45am	7:00pm
Family #8	2	3:20pm	6:30pm

APPENDIX 6

Rogers, Nicholas

From: MUHAMMAD BUTT <tuzbmmm@verizon.net>
Sent: Monday, May 16, 2011 3:53 PM
To: Rogers, Nicholas
Subject: Fw: 8740 Talbott farm dr. Alexandria Va 22309

--- On **Mon, 5/16/11, MUHAMMAD BUTT <*tuzbmmm@verizon.net*>** wrote:

DROP OFF & PICKUP POLICY FOR SUNNY DAY CARE

Dear Parents,

As all of you know that we are running our home day care in a residential community, which makes it a little bit different from commercial day care centers. One of the biggest concerns we have while running this operation, and the one which needs your support and attention is drop off and picking up. Here are some policies that need to be in compliance by all means at all times .These rules are necessary in order to peaceful run the day care in the community. Your cooperation will be greatly appreciated.

1. We request that at no time there should be any parking, lining up, or waiting with your car on the Talbot farm drive. Our neighbors need to be able to access or leave their residences easily .Please allow all cars leaving from the neighborhood to exit prior to your entrance.
2. Only two cars at a time can be parked in our driveway. Please park to each side of the driveway so you don't block each other.
3. When backing up from drive way, be extremely attentive to what is behind you. Depending on the day, there may be a trash can, a neighbor backing up, or some body walking behind you. Please consider safety first!
4. Feel free to park in common area if you find a spot and walk in to drop off or pick up your child. This is one of the best pick up /drops off method.
5. Please make sure that your child is under close supervision of yourself all the time you are walking on drive way.
6. Please don't park on Talbott farm dr. in any way that interrupts the traffic flow.
7. Please allow residents of the Talbot farm drive to have priority in their movement.
8. During normal drop off and pickup time, please do not engage in conversation with provider or other parents. This prohibits other parents the ability to park. It also will distract staff from properly

supervising the children in care.

9. We will appreciate if you give us a five minute window call for pickup so we keep your child ready for pick up.
10. Finally, please don't park, in our neighbors drive way or walk in their yards, or use their drive way to turn your car.

If you follow these rules, it will aid us in not creating a problem with our neighbors. It will also provide a safer environment for all children and yourselves.

Your signature below indicates your acceptance of the above policy.

_____

Signature of parent

RZ 2001-MV-030

February 18, 2001

Pursuant to Section 15.2-2303 (A), Code of Virginia, 1950 as amended, the owners, and Landmark Property Development, LLC (hereinafter referred to as "Applicant") for themselves, their successors and assignees in RZ 2001-MV-030 and FDP 2001-MV-030 filed for property identified as Tax Map 110-1 ((1)) parcel 2 (hereinafter referred to as the "Application Property"), proffer the following, provided that the Board of Supervisors approves a rezoning of the Application Property to the PDH-5, CRD and, HC Districts.

1. Development Plan:

Development of the Application Property shall be in substantial conformance with the CDP/FDP prepared by Charles P. Johnson & Associates consisting of 4 sheets dated May 9, 2001 and revised through February 4, 2002.

2. Minor Deviations:

Pursuant to Paragraph 4 of Section 16-403 of the Zoning Ordinance, minor modifications from the CDP/FDP may be permitted as determined by the Zoning Administrator. The Applicant shall have the right to make minor adjustments to the internal lot lines of the proposed lots at the time of Subdivision Plan submission based upon final house locations and building footprints provided such changes are in accordance with the FDP, and do not increase the number of units or decrease the amount of open space, minimum building and peripheral setbacks, access or parking spaces, without requiring approval of an amended FDP.

3. Construction of Private Streets and Provision of Sidewalks:

A). All on site streets will be private streets. Sidewalks shall be provided in the location as generally shown on the CDP/FDP. Both the streets and sidewalks shall be constructed in conformance with the Public Facilities Manual [PFM] (TS 5A) to design, depth of pavement and materials consistent with public street and sidewalk standards. Future homeowners shall be notified of their maintenance responsibilities for the streets and other HOA owned and maintained facilities within the HOA documents which will be made available for review prior to entering into a contract of sale.

4. Inter-parcel Access:

The applicant shall construct the site access/inter-parcel access and record same in the land records of Fairfax County as a public access easement to permit ingress/egress as depicted on the CDP/FDP sheet 2 of 4. Such access shall be a private road and therefore maintenance of said inter-parcel access roadway will be the responsibility of the Homeowners association as are other private streets within the development. Such maintenance responsibility shall be disclosed to all property purchasers in accordance with Proffer #3.

5. Richmond Highway Dedication:

The applicant shall dedicate to the Board of Supervisors in fee simple 75 feet from centerline across the property and Richmond Highway frontage at time of subdivision review or upon demand by Fairfax County or VDOT, whichever occurs first.
The applicant proffers to escrow funds for widening the Richmond Highway frontage of this application for 180 feet.

6. Energy Efficiency

All homes on the subject site shall meet the thermal guidelines of the Virginia Power Energy Saver programs for energy efficient homes, or its equivalent, as determined by DPWES, for either gas or electric energy systems as may be appropriate.

7. Noise Attenuation:

7-1) In order to reduce interior noise to a level of approximately DNL 45 dBA within a highway noise impact zone of DNL 70-75 dBA (lots 1-2 and 23-25) the units shall be constructed with the following acoustical attributes:

A) Exterior walls shall have a laboratory sound transmission class (STC) rating of at least 45.
B). Doors and windows shall have a laboratory STC rating of at least 37 unless windows constitute more than 20% of any façade exposed to noise levels of DNL 65 dBA or above. If glazing constitute more than 20% of an exposed façade, then the windows should have an STC rating of at least 45.
C) All surfaces shall be sealed and caulked in accordance with methods approved by the American Society for Testing and Materials (ASTM) to minimize sound transmission.

In order to reduce interior noise to a level of approximately DNL 45 dBA, units within the DNL 65-70 dBA highway noise impact zone (lots 3-7 and 20-22) shall be constructed with the following acoustical treatment measures:

a. Exterior walls shall have a laboratory sound transmission class (STC) rating of at least 39.
b. Doors and glazing shall have a laboratory STC rating of at least 28 unless windows constitute more than 20% of an exposed façade, then the windows should have a STC rating of at least 39.
c. All surfaces shall be sealed and caulked in accordance with the methods approved by the American Society for Testing and Materials (ASTM) to minimize sound transmission.

7-2) In order to reduce exterior noise to 65 dBA LDN the applicant shall construct a fence along Richmond Highway which will have no gaps or openings other than those shown on the CDP/FDP for noise mitigation. The noise fence will be extended down to lots 20 and 21 as deemed necessary based upon the applicant conducting a noise study in order to reduce exterior noise levels to 65 dBA and the applicant will increase the height of the fence as necessary to no more than 8 feet.

7-3)The applicant reserves the right to pursue other methods of mitigating highway noise impacts that can be demonstrated through an independent noise study as reviewed and approved by DPWES, that these methods will be effective in reducing interior levels to 45 dBA Ldn or less.

8. Landscaping/Tree Save:

A) Landscaping will be provided in substantial accordance with the CDP/FDP landscape plan dated May 9, 2001 revised through January 4, 2002 and as determined by the Urban Forester. A landscaping plan shall be submitted for review and approval to the Urban Forester at time of first submission of Subdivision Plan. All streetscape trees shall be at least 2.5 inches in caliper. All landscaping shall be planted as recommended in the landscape elements section of the Comprehensive Plan urban design recommendations for the Richmond Highway Corridor Area, specifically the sections titled *"Tree Selection Criteria, Recommended Tree Species, and Tree Plant Maintenance"* as determined by Urban Forester. All common area landscaping shall be irrigated and maintained by the Home Owners Association (HOA) and dead and dying material shall be replaced in order to keep it in good health and appearance. The landscaping responsibilities by the HOA will be addressed in the HOA documents provided prior to entering into a contract of sale.

B) The applicant shall provide off-site landscaping in Woodmill Estates on Tax Map parcels110-1 ((25)) 14,15,16,24,25, abutting proposed lots 8 through 19. This landscaping shall consist of a single row of evergreen trees (Leland Cyprus) six (6) feet in height planted at twelve feet (12) on center. The obligation to plant the off-site trees is contingent upon the owners of the above referenced parcels providing a written letter of permission of entry onto the property to plant the specified trees. The Applicant shall plant these offsite trees after final subdivision approval and before commencing clearing and grading on the application property at a time determined by the Urban Forestry

Division (UFD). If UFD determines that the proposed time for off-site planting is not an appropriate planting season, the clearing and grading on the application property may start and the off-site trees shall be planted at a later time as determined by UFD, but not to exceed six months from the commencement of clearing and grading. If a letter of permission from the above referenced owners on which the off site planting is to occur is not delivered within thirty days (30) from the Applicants written request, sent by certified mail, return receipt requested, then clearing and grading on the application property may commence without such off-site planting

The applicant shall plant evergreen shrubbery along the rear portion of lots 4-5 as depicted on the CDP/FDP as determined by the Urban Forestry Division (UFD). These trees shall be depicted with the landscaping plan submitted during subdivision plan review. The purpose of the evergreen shrubbery is to provide a visual screen and to soften impacts of the adjacent houses. Further, the Applicant will protect the Eastern Red Cedars on the western side of the property as shown on the CDP/FDP.

D) The RPA area shall be reforested in accordance with the planting scheme and "Reforestation Area" notes as shown parcel C on sheet #2 of the CDP/FDP. A reforestation plan for the resource protection area shall be submitted as part of the first subdivision plan submission, and shall be reviewed and approved by the Urban Forestry Division. The reforestation plan shall incorporate native grasses, wildflowers, regular sized B&B native deciduous and evergreen trees and whips in the plant schedule. The plan shall include but not be limited to information regarding the timing, methods of installation, and long-term maintenance commitments to ensure establishment.

9. Recreational Facilities:

The Applicant shall comply with Paragraph 2 of Section 6-110 of the Zoning Ordinance regarding developed recreational facilities. The Applicant proffers that the expenditure for the recreational facilities shall be a minimum of $955.00 per residential unit. The Applicant shall receive credit for the on-site recreational facilities that may include but not be limited to, a community gathering area with Gazebo, outdoor seating and picnic tables. If the cost of the on-site recreational facilities does not equal the required $955.00 per unit contribution, as determined by DPWES, then any remaining funds shall be provided to the Fairfax County Park Authority for the provision of recreational facilities in the immediate vicinity of this site.

10. Limits of Clearing and Grading:

A) The applicant shall generally conform to the limits of clearing and grading shown on the CDP/FDP subject to the installation of necessary sidewalks, trails and utility lines as approved by DPWES. Any street scape material, trails and utility lines that may be within areas protected by limits of clearing and grading shall be located and installed in the least disruptive manner as possible as determined by the Urban Forestry Division. A

replanting plan shall be developed and implemented, as approved by the Urban Forestry Division, for any areas within the areas protected by the limits of clearing and grading that must be disturbed.

B) In order to preserve and protect the EQC and RPA, the limits of clearing and grading shall strictly conform to the limits as shown on the CDP/FDP, subject to installation of only those utilities which are shown on the CDP/FDP as determined by the Urban Forestry Division and approved by the Director, Department of Public Works and Environmental Services (DPWES). Any such utilities shall be located and installed in the least disruptive manner and any plant material affected will be replaced.

C) Prior to any clearing and grading on site, the limits of the EQC/RPA and the wetlands protected against clearing and grading as shown on the CDP/FDP shall be fenced and flagged with 4' high 14 gauge welded wire on steel posts 10 ft. on center to prevent intrusions onto these areas. The fencing or other suitable barriers, as determined by DPWES shall remain in place during all phases of construction on the adjacent area, as determined by DPWES.

D) The Applicant shall have limits of clearing and grading marked with a continuous line of flagging prior to the pre-construction meeting. The applicant shall walk the limits of clearing and grading with an Urban Forestry representative to determine where minor adjustments to the clearing limits to increase the survivability of trees at the edge of the limits of clearing and grading.

E) Initial purchasers of units which abut the EQC/RPA shall be advised in writing prior to entering a contract of sale of the existence of this feature and the prohibition against clearing beyond the property line or using the area as a depository for trash, lawn clippings, or other debris. The Home Owners Association documents shall contain this information.

11. Homeowners Association:

A) The Applicant shall establish a Homeowners' Association for the proposed development to own, manage and maintain streets, sidewalks, driveways, community open spaces, planting areas and community structures (Gazebo, fence) that are installed.

B) Any restrictions placed on the use of Common Open Space areas, potential for inter-parcel access and the prohibition on use of the garages for any purpose other than to park motor vehicles shall be disclosed in a separate disclosure in the HOA documents for future purchasers in the subdivision. A covenant in the form which shall be approved by the County Attorney shall be recorded which provides that garages shall be used for purposes that will not interfere with the intended purposes of garages (e.g. parking of vehicles). This covenant shall be recorded among the land records of Fairfax County prior to the sale of any lots and shall run to the benefit of the homeowners association, which shall be established, and to Fairfax County.

C) Prior to contract of sale, initial prospective purchasers of homes will have copies of the HOA documents outlining the responsibilities of owners regarding maintenance of open-space, recreational facilities, private streets made available to them. At closing each initial purchaser will be given a complete set of Home Owners Documents specifying the responsibility and containing a year by year 10 year prospective budget of the HOA and the necessary contributions by each homeowner.

12. Affordable Dwelling Units (ADU's):

Prior to time of subdivision plan approval the applicant shall contribute to the Fairfax County Housing Trust Fund a sum equal to ½ % of the projected sales price of each unit to assist Fairfax County's low and moderate income housing goals. The projected sales price shall be determined by the Applicant in consultation with the staff of the Fairfax County Department of Housing and Community Development and DPWES.

13. Architecture Elevations:

The Dwelling Unit architecture shall generally conform to the illustrative architectural elevation as shown on the CDP/FDP. The side elevations that face route 1 and the private street lot numbers 1, 5, 20 & 25 shall use similar building materials as used for the front elevation. Windows treatments shall be provided on the side elevations of lots 1, 5, 6, 20 and 25 except as rendered unpractical due to noise impact determinations from Rt. 1.

14. Gate at Pond Access

At the pond access road entrance a gate shall be installed to conform with the general appearance of the fence along Richmond Highway.

15. Storm Water Pond:

The applicant will request approval from DPWES of an embankment only storm water management facility and seek all necessary and appropriate modifications and waivers from DPWES to accomplish such a facility. If such a facility is not approved, the Applicant design a conventional dry storm water pond and will plant the sides of the new facility with plantings to the maximum extent permitted in accordance with the planting policies of the County, and use best efforts to preserve quality trees in the up slope areas, as determined by the Urban Forester. The applicant may apply for a waiver if warranted.

16. School Contribution:

At the time of Final Subdivision Plan approval the applicant shall contribute $25,000 to the Board of Supervisors for improvements to the elementary (s), intermediate or secondary school which serves this development

17. National US Army Museum at Fort Belvoir

At time of Subdivision Plan approval, a sum of $200.00 per dwelling unit ($5,000 Total) shall be contributed to the U.S. Army Historical Foundation for use in funding, planning and developing the National US Army Museum.

18. Successors and Assigns:

These Proffers will bind and inure to the benefit of the Applicant and his successors and assigns. Each reference to "Applicant" in this proffer statement shall include within its meaning, and shall be binding upon, Applicant's successor(s) in interest and/or developer(s) of the site or any portion of the site.

CONTRACT PURCHASER, Landmark Property LLC:
CONTRACT ASIGNEE, Landmark Property LLC: Tax Map 101-1 ((1)) parcel 2

By: _____
Scott Herrick

Its: Managing Member

CONTRACT PURCHASER, Eastwood Properties: Tax Map 101-1 ((1)) 5

By: Richard L Labbe
Richard L. Labbe

OWNER 101-1 ((1)) Parcel 2
TALBOT FAMILY LAND TRUST

BY: Patricia S Malone Trustee of Talbott Family Land Trust
Patricia S. Malone

Its: Trustee

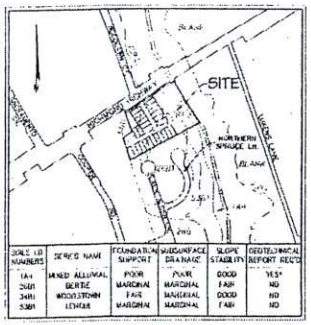
APPENDIX 8

CONCEPTUAL / FINAL DEVELOPMENT PLAN

TALBOTT PROPERTY

MOUNT VERNON DISTRICT
FAIRFAX COUNTY, VIRGINIA

RZ 2001-MV-030



SOILS LIB NUMBERS	SERIES NAME	FOUNDATION SUPPORT	SUBSURFACE DRAINAGE	SLOPE STABILITY	GEOTECHNICAL REPORT REQ'D
1A+	MIXED ALLUVIAL	POOR	POOR	GOOD	YES*
2A01	BEATTIE	MARGINAL	MARGINAL	FAIR	NO
3A01	WOODSTOWN	FAIR	MARGINAL	GOOD	NO
5A01	LENGUE	MARGINAL	MARGINAL	FAIR	NO

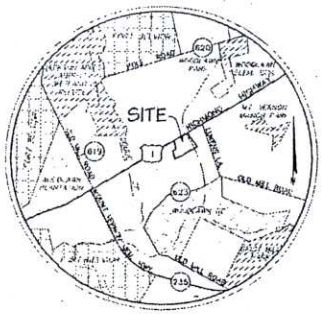
SOILS MAP/DATA

SCALE : 1" = 500'

*NOTE : NO CONSTRUCTION IS TO OCCUR WITHIN 1A+ SOILS

NOTES

1. THE PROPERTY DEDICATED ON THIS PLAN IS LOCATED ON FAIRFAX COUNTY TAX ASSESSMENT MAP NUMBER 110-1((1)) PARCEL 2. THE SITE IS CURRENTLY ZONED R-2 AND HCOD. THE PROPOSED ZONING IS PDH-5 AND HCOD.
2. THE PROPERTY HEREON IS CURRENTLY IN THE OWNERSHIP OF PATRICIA S. AND CHRIS R. WALDRIP, TRUSTEES IN DEED BOOK 11304 AT PAGE 164 AMONG THE LAND RECORDS OF FAIRFAX COUNTY, VIRGINIA.
3. BOUNDARY INFORMATION TAKEN FROM A FIELD RUN SURVEY PREPARED BY CHARLES P. JOHNSON & ASSOC., DATED MARCH 2000.
4. EXISTING TOPOGRAPHIC INFORMATION TAKEN FROM A FIELD RUN SURVEY PREPARED BY CHARLES P. JOHNSON & ASSOCIATES, DATED MARCH 2000. CONTOUR INTERVAL EQUALS TWO FEET USGS NGVD 1929
5. THERE IS A 100-YEAR FLOODPLAIN LOCATED ON-SITE. NO FLOODPLAIN OR DRAINAGE STUDIES ARE REQUIRED FOR THIS PROJECT.
6. THERE IS A RESOURCE PROTECTION AREA (RPA) AND AN ENVIRONMENTAL QUALITY CORRIDOR (EQC) LOCATED ON THE PROPERTY. A WATER QUALITY IMPACT ASSESSMENT WILL NOT BE REQUIRED.
7. TO THE BEST OF OUR KNOWLEDGE, THE SITE HAS NO SCENIC ASSETS OR NATURAL FEATURES DESERVING OF PROTECTION AND PRESERVATION, EXCEPT FOR THE RPA/EQC AREA.
8. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO KNOWN GRAVES, OBJECTS, OR STRUCTURES MARKING A PLACE OF BURIAL.
9. ALL EXISTING WELLS ON-SITE ARE TO BE CAPPED AND ABANDONED IN ACCORDANCE WITH HEALTH DEPARTMENT REGULATIONS.
10. SEE SHEET 4 FOR DESCRIPTION OF EXISTING VEGETATION
11. EXISTING STRUCTURES ARE TO BE REMOVED
12. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO HAZARDOUS OR TOXIC SUBSTANCES AS SET FORTH IN TITLE 40, CODE OF FEDERAL REGULATIONS PART 116.4, 302.4, AND 355; HAZARDOUS WASTE AS SET FORTH IN COMMONWEALTH OF VIRGINIA / DEPARTMENT OF WASTE MANAGEMENT VR 672-10-1 – VIRGINIA HAZARDOUS WASTE MANAGEMENT REGULATION AND/OR PETROLEUM PRODUCTS AS DEFINED IN TITLE 40, CODE OF FEDERAL REGULATIONS PART 280, TO BE GENERATED, UTILIZED, STORED, TREATED, AND/OR DISPOSED ON-SITE.
13. THE SITE IS WITHIN THE HIGHWAY CORRIDOR OVERLAY DISTRICT.
14. THERE ARE NO AFFORDABLE DWELLING UNITS (ADU's) REQUIRED FOR THIS PROJECT.
15. IN ACCORDANCE WITH THE ADOPTED COMPREHENSIVE PLAN, THE PROPOSED DEVELOPMENT WILL PROVIDE RESIDENTIAL DEVELOPMENT AT 4.57 DWELLING UNITS PER ACRE AND WILL CONFORM TO ALL APPLICABLE ORDINANCES, REGULATIONS, AND ADOPTED STANDARDS EXCEPT AS NOTED BELOW:
    - A WAIVER OF STORMWATER MANAGEMENT REQUIREMENTS
    - A WAIVER/MODIFICATION OF BEST MANAGEMENT PRACTICES REQUIREMENTS
    - A WAIVER OF A SERVICE DRIVE ALONG ROUTE 1
    - A WAIVER TO ALLOW A 7 FOOT FENCE ALONG ROUTE 1
    - A WAIVER TO USE PRIVATE STREETS
    - A WAIVER FOR A PRIVATE STREET TO EXCEED 600 FEET IN LENGTH
    - A WAIVER FOR A WALL EXCEEDING 4 FEET IN HEIGHT
    - A WAIVER TO ALLOW ACORN STREET LIGHTS
    - A MODIFICATION TO ALLOW THE RECREATION AREA AND OTHER OPEN SPACE TO BE PLACED IN CONSERVATION EASEMENTS TO BE USED FOR BMP CREDIT
16. PROPOSED PUBLIC IMPROVEMENTS:
    A. WATER SERVICE TO BE PROVIDED BY AN EXISTING 16" MAIN LOCATED IN RICHMOND HIGHWAY
    B. SANITARY SERVICE TO BE PROVIDED BY AN EXISTING 10" MAIN LOCATED IN RICHMOND HIGHWAY
17. SEE THIS SHEET FOR DENSITY REDUCTION CALCULATIONS
18. THERE ARE PASSIVE RECREATIONAL FACILITIES PROPOSED WITH THIS DEVELOPMENT
19. SPECIAL AMENITIES ARE PROPOSED WITH THIS PLAN, AS SHOWN ON THE CDP/FDP.
20. A DEVELOPMENT SCHEDULE HAS NOT BEEN DETERMINED AT THIS TIME.
21. ARCHITECTURAL SKETCHES ARE ON SHEET 3
22. A TRAIL IS REQUIRED AND DEPICTED FOR THIS PROJECT PER THE FAIRFAX COUNTY TRAILS PLAN.
23. PARCELS A, B & C WILL BE CONVEYED TO A HOMEOWNERS ASSOCIATION FOR OWNERSHIP AND MAINTENANCE.
24. MODIFICATIONS TO THE BUILDING FOOTPRINTS, LOT AREAS, UTILITY LAYOUT, AND LIMITS OF CLEARING AND GRADING MAY OCCUR WITH THE FINAL ENGINEERING DESIGN.



VICINITY MAP

SCALE : 1" = 2000'

SITE TABULATIONS

SITE AREA	
LOT AREA	91,997 880 (2.112 Ac)
PARCELS A-C	134,016 880 (3.077 Ac)
RIGHT-OF-WAY DEDICATION (ROUTE 1)	11,083.160 (0.254 Ac)
TOTAL	238,097 920 (5.468 Ac)

DENSITY CALCULATIONS

(PER SECTION 2-308)

TOTAL SITE AREA	5.47 Ac
AREA OF FLOODPLAIN	1.50 Ac
30% OF SITE AREA	1.64 Ac
DIFFERENCE (AREA SUBJECT TO DENSITY REDUCTION)	-0.14 Ac

NO DENSITY REDUCTION REQUIRED

	PDH-5 REQUIRED	PROVIDED
NUMBER OF UNITS	----	25 SINGLE-FAMILY DETACHED
DENSITY	5 DU/AC (MAX.)	4.57 DU/AC
MINIMUM LOT SIZE	N/A	3,700SF±
AVERAGE LOT SIZE	N/A	3,600SF±
MAXIMUM BUILDING HEIGHT	N/A	35'
OPEN SPACE	35%	35%
PARKING	2 spaces/unit (50 spaces)	50 spaces + 9 parallel spaces = 59 spaces

PAUL D. JOHNSON
No 018450
5-12-02
PROFESSIONAL ENGINEER

DEVELOPER

LANDMARK COMMUNITIES
5252 CHEROKEE AVENUE
SUITE 103
ALEXANDRIA, VIRGINIA 22312

TABLE OF CONTENTS

1. COVER SHEET
2. CONCEPTUAL / FINAL DEVELOPMENT PLAN
3. DETAILS
4. EXISTING VEGETATION MAP

DATE : MAY 9, 2001
REVISED : MAY 24, 2001
AUGUST 17, 2001
AUGUST 28, 2001
DECEMBER 3, 2001
DECEMBER 17, 2001
JANUARY 4, 2002
JANUARY 31, 2002
FEBRUARY 4, 2002

CPJ Associates
Charles P. Johnson & Associates, Inc.
PLANNERS ENGINEERS LANDSCAPE ARCHITECTS SURVEYORS

SHEET 1 OF 4

TALBOTT PROPERTY

FILE # 99-572-201

TREE COVER CALCULATIONS

TREE COVER REQUIRED

TOTAL S.F. AREA	[illegible]
GROSS AREA PER R-2 ZONE (S.F. - 15%)	[illegible]
REQUIRED TREE COVER (25% GROSS AREA)	[illegible]
NET SITE AREA	[illegible]
PROPERTY ZONED R-2	100%
TOTAL TREE COVER REQUIRED	[illegible]

TREE COVER PROVIDED

AREA OF EXISTING TREES TO BE PRESERVED	[illegible]
25% GROSS FOR ONE YEAR GROWTH	[illegible]
AREA OF TREES TO BE PLANTED	[illegible]
TOTAL TREE COVER PROVIDED (25% OF NET SITE AREA)	[illegible]

LEGEND

- EXISTING TREELINE
- PROPOSED TREELINE
- LIMITS OF CLEARING AND GRADING
- PROPOSED SANITARY SEWER
- EXISTING SANITARY SEWER & SANITARY SEWER EASEMENT
- PROPOSED STORM DRAIN & STORM SEWER EASEMENT
- EXISTING STORM DRAIN & STORM SEWER EASEMENT
- PROPOSED WATER LINE
- EXISTING WATER LINE
- 100-YEAR FLOODPLAIN & EOC
- R.P.A. PER PLAN #3773-RPA-01
- EX EVERGREEN
- SHADE TREE (2-2.5" CAL.)
- EVERGREEN TREE (6-8' HGT.)
- ORNAMENTAL TREE (2-2.5" CAL.)
- MEDIUM DECIDUOUS SHRUB
- LARGE EVERGREEN SHRUB

VIRGINIA STATE 2000 NORTH (NAD83)

RICHMOND HIGHWAY ROUTE #1 (VARIABLE WIDTH)

WOODLAWN CT. RTE. #778 (50' R/W)

PARCEL "A"

PARCEL "B"

PARCEL "C"

PRIVATE STREET

POSSIBLE SWM/BMP POND

NORTH FORK DOGUE CREEK

REFORESTATION AREA

- SEE AREA AND REMOVE INVASIVE PLANT MATERIAL
- RE-SEED WITH WILDFLOWERS AND NATIVE GRASSES
- PLANT NATIVE TREE MIXES, 10 SHRUBS AND 25 REF. SIZED DBH NATIVE DECIDUOUS AND EVERGREEN TREES AS SHOWN

SEE DETAIL SHEET 3

GRAPHIC SCALE

SCALE : 1" = 30'

NO.	DATE	DESCRIPTION	REVISIONS
6	1-31-02	INCLUDED STORM DRAIN & EOC ADDED BOUNDARY INFO	
5	1-14-02	REVISED PLACED TO REMOVE TREE COVER	
4	1-7-02	REVISED PARKING AND LANDSCAPE PLAN	
3	12-20-01	REVISED PROPERTY BOUNDARIES PLAN	
2	11-7-01	REVISED PROPERTY BOUNDARIES PLAN	
1	9-28-01	REVISED PROPERTY BOUNDARIES PLAN	

CPJ Associates

Charles P. Johnson & Associates, Inc.

CONCEPTUAL / FINAL DEVELOPMENT PLAN

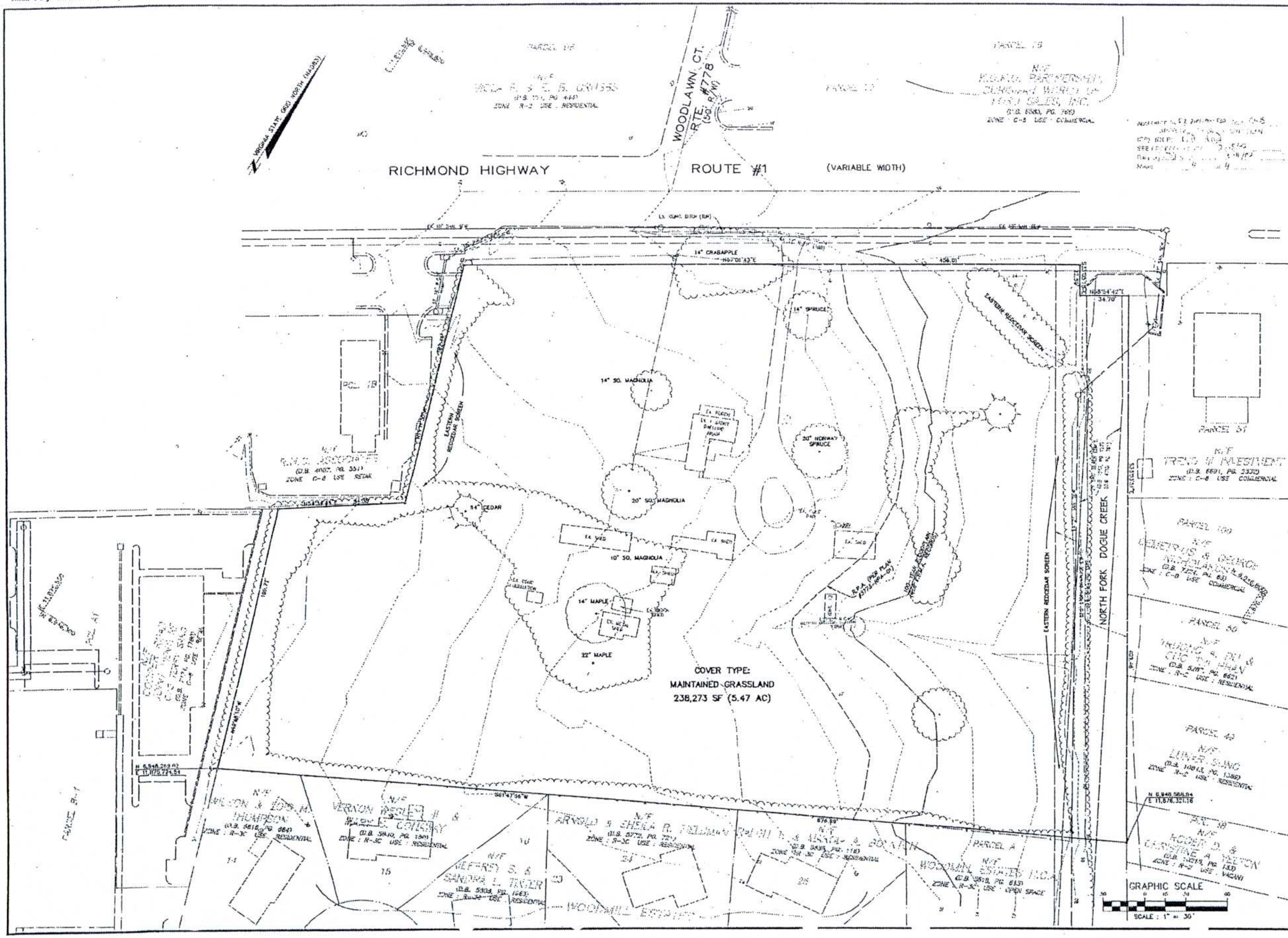
TALBOTT PROPERTY

MOUNT VERNON DISTRICT
FAIRFAX COUNTY, VIRGINIA

COMMONWEALTH OF VIRGINIA
PAUL B. JOHNSON
No. 015430
2-12-02
PROFESSIONAL ENGINEER

SHEET 2 OF 4

FILE NO: 99-572-202



EXISTING VEGETATION MAP

TALBOTT PROPERTY

MOUNT VERNON DISTRICT
FAIRFAX COUNTY, VIRGINIA

CPJ Associates
Charles P. Johnson & Associates, Inc.
PLANNERS ENGINEERS LANDSCAPE ARCHITECTS SURVEYORS

REVISION PRIOR TO APPROVAL

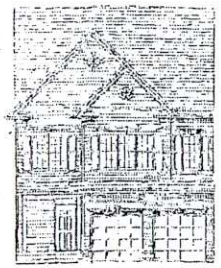
SHEET 4 OF 4

FEB 2000

99-572-204

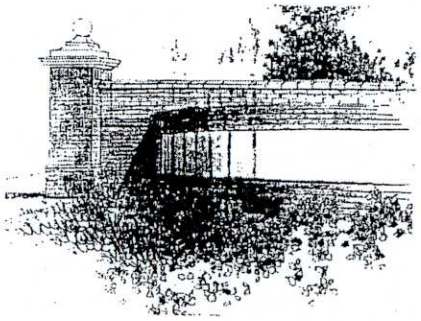
TRADITIONAL ACORN W/BLACK POLE
AND CUTOFF LUMINARIES (OR EQUIVALENT)

Pole Light Standard

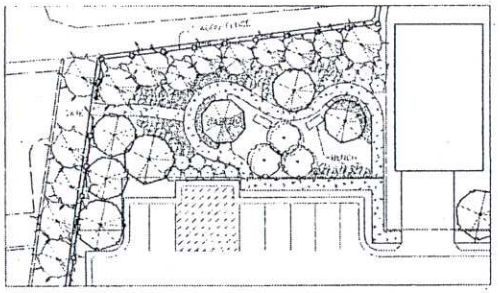


GENERAL ARCHITECTURAL FACADE

(FOR ILLUSTRATIVE PURPOSES ONLY)
NOT TO SCALE



Entry / Sign Wall

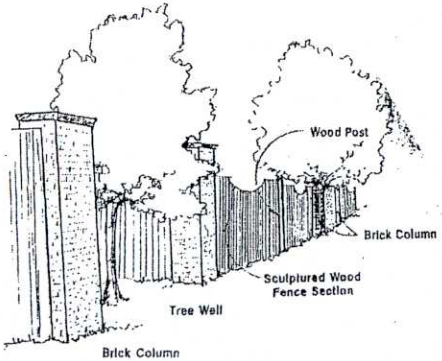


GAZEBO LANDSCAPE DETAIL

(FOR ILLUSTRATIVE PURPOSES ONLY)
SCALE : 1" = 20'

LANDSCAPE LEGEND

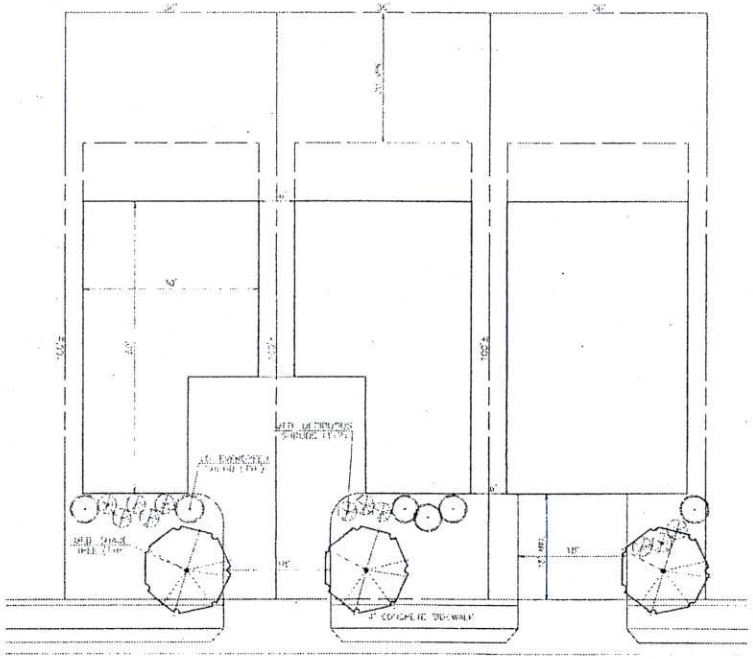
- SHADE TREE
- EVERGREEN TREE
- ORNAMENTAL TREE
- MEDIUM DECIDUOUS SHRUB
- LARGE EVERGREEN SHRUB
- GROUND COVER



BRICK COLUMN AND SOLID WOOD FENCE
OR EQUIVALENT

Decorative Fence Detail (typ)

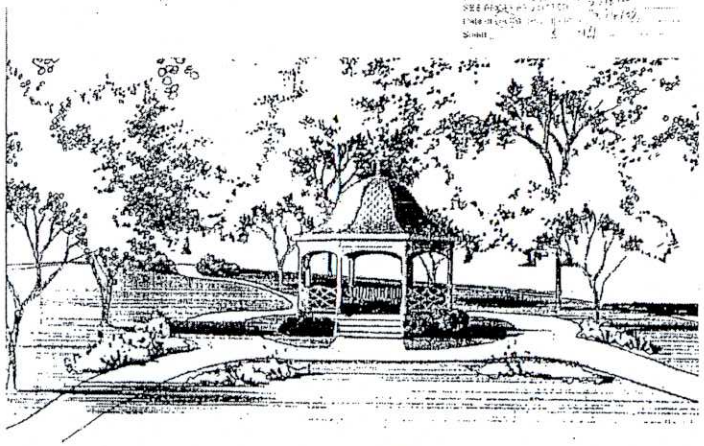
ROUTE 1 NOISE FENCE



TYPICAL SINGLE—FAMILY LOT LANDSCAPING

(FOR ILLUSTRATIVE PURPOSES ONLY)
SCALE : 1" = 10'

REAR EXTENSIONS NOT AVAILABLE FOR LOTS 4-7, 19 & 20



ROWS BEND GAZEBO
OR EQUIVALENT

Gazebo Structure

NO.	DATE	REVISION
1	10-17-01	CHANGE LANDSCAPE (LA)
2	11-13-01	REVISE ARCHITECTURAL DETAILS (ALL)
3	1-8-02	REVISE GARAGE, ELEVATIONS & ARCHITECTURAL DETAILS (ALL)
4	2-26-02	REVISE GARAGE, ELEVATIONS & ARCHITECTURAL DETAILS (ALL)

REVISION FROM 1st APPROVAL

CPJ Associates

Charles P. Johnson & Associates, Inc.
PLANNERS ENGINEERS LANDSCAPE ARCHITECTS SURVEYORS
2911 FIRST STREET, SUITE 203 FAIRFAX VIRGINIA 22030 (703) 573-7777
SEAL SERVICE NO. FAX (703) 573-7778

DETAILS

TALBOTT PROPERTY

MOUNT VERNON DISTRICT
FAIRFAX COUNTY, VIRGINIA

COMMONWEALTH OF VIRGINIA
PAUL B. JOHNSON
No. 018400
1-8-02
PROFESSIONAL ENGINEER

DESIGN	PAUL B. JOHNSON
DRAWN	R.J.W.
CHECKED	PAUL B. JOHNSON
DATE	OCT. 1, 2000
SCALE	1" = 20'
SHEET	3 OF 4
FILE NO.	99-572-203

NO.	DESCRIPTION	BY

CDP DEVELOPMENT CONDITIONS
AS REVISED BY PLANNING COMMISSION
AND AS APPROVED BY BOARD OF SUPERVISORS

RZ 2001-MV-030

~~FEBRUARY 19, 2002~~ FEBRUARY 21, 2002

If it is the intent of the Board of Supervisors to approve Rezoning Application RZ 2001-MV-030 from the R-2 District to the PDH-5 District for residential development located at Tax Map 110-1 ((1)) 2, staff recommends that the Board of Supervisors condition the approval by requiring conformance with the following development conditions:

1. The existing eastern red cedars along the western property line within Parcel "A" of the proposed development shall be preserved by the applicant as determined by the Urban Forester. The applicant shall prepare a tree preservation plan for review and approval by the Urban Forester concurrent with the first submission of subdivision plan review.

2. The applicant shall disclose to all initial purchasers of Lots 11-19 in the contract of sale, the location of the storm drain easement to be constructed within the rear yards and that such easement may limit the ability to construct patios or decks on these lots. This possible restriction shall be disclosed prior to entering into a contract of sale in the home owners association documents.

3. The applicant shall demonstrate to the satisfaction of DPWES that the exterior noise within the rear and side yards for Lots 1-7 and Lots 20-25 shall not exceed 65 dBA Ldn. If it is determined by DPWES that the noise levels in these areas exceed 65 dBA, the applicant shall take the necessary measures to reduce noise levels in these areas to 65 dBA Ldn.

B. No home shall maintain any receptacle or pool, whether natural or artificial, containing water in such condition that insects breeding therein may become a menace to public health.

Interpretation of § 370 B: The family day home must not have a pool, pond, or other large area of stagnant water in which so many insects could breed that they could affect the health of the community.

22 VAC 40-111-380. Space.

The home shall provide each child with adequate space to allow free movement and active play indoors and out.

Intent of § 380: Space in which children can freely move for exercise and development of physical skills is necessary to the well-being of children. Indoor crowding has been shown to be associated with an increased risk of upper respiratory infections. Conflicts between children and behavior problems are more likely to occur in crowded environments and children confined to crowded spaces are more likely to be hurt during activities. Adequate outdoor space for play is necessary for the development of gross motor (large muscle) skills.

Interpretation of § 380:
Indoor play space – These standards do not specify the amount of indoor play space that is required for each child. Adequate space would be an area outside the traffic patterns in the home in which the total number of children in care could play with freedom of movement.

Outdoor play space – These standards do not specify the amount of outdoor play space that is required for each child and the standards do not require the family day home to have outdoor play space on the premises, but the home must provide outdoor play space. The available space must be large enough to permit all children receiving care to run and play freely.

If the provider's home is without any outdoor space for play, the provider must have a feasible plan for providing outdoor play time. The accessibility of public parks and playgrounds is to be explored. The provider's plans for transportation to and from the area and for supervision of children must be evaluated.

Although not required by these standards, the American Academy of Pediatrics and the American Public Health Association recommend 35 square feet of indoor space per child which is free of furniture and equipment, or 50 square feet of space if furniture and equipment are included.

Interpretation of § 410: Fans that are out of the reach of children must also be placed so that the fan cannot fall on a child. For example, a fan on a table or bookcase may be out of the reach of a child, but the table or bookcase may be unsteady so the fan could fall if the child bumped the table or bookcase. A pedestal fan is not securely mounted.

22 VAC 40-111-420. Lighting.

A. Rooms, halls, and stairways used by children in care shall be lighted with natural or electric lighting for the children's safety and comfort.

Intent of § 420 A: It is important that there be adequate light for children to safely see and for caregivers to adequately supervise children and perform tasks such as diapering. Inadequate artificial lighting has been linked to eyestrain, headache, and non-specific symptoms of illness.

Interpretation of § 420 A: Lighting may be reduced in rooms where children are resting or sleeping, but sufficient lighting must be provided so that caregivers can supervise and attend the children and children can safely exit the room.

Compliance Determination for § 420 A: If needed, adequate lighting will be determined by using simple, printed material in 12-point type and seeing if there is enough light for a caregiver in the room, hall, or stairway to read the material.

B. Entrance and exit ways shall be unobstructed and be lighted with natural or electric lighting.

22 VAC 40-111-430. Stairs.

A. Children under two years of age and children over two years of age who are not developmentally ready to climb or descend stairs without supervision shall not have access to stairs.

B. Accordion expansion gates and pressure mounted gates shall not be used as protective barriers at stair openings.

Intent of § 430 A & B: The purpose of these standards is to protect young children from injuries and falls and to comply with the Uniform Statewide Building Code requirements for unrestricted egress from a home in case of fire.

Accordion gates with large V-shaped openings along the top edge and diamond shaped openings between the slats present entrapment and entanglement hazards resulting in strangulation, chopping or pinching of children who try to crawl through or over the gate. Pressure mounted gates may give way under a child's weight and allow a child to fall.

Interpretation of § 430 A & B: Hardware-mounted gates and hardware-mounted walk-through gates are acceptable types of safety gates. Hardware-mounted gates attach with screws to walls and banisters and usually open and close much like a door. Hardware-mounted walk-through gates also attach with screws to walls and banisters, but only a portion of the gate or "door" swings open and closed instead of the entire gate. These gates must be installed so that they open toward the landing and not toward the stairs. Gates must contain only one latch that is able to be readily opened.

If the family day home is constructed so that hardware-mounted or hardware-mounted walk-through safety gates cannot be installed at stair openings, the provider still must ensure that young children do not have access to stairs. A way this can be done is by properly installing a safety gate at a door to prevent the child from reaching the stairs. Providers do not have to install gates at stairs, but they must ensure that children under age 2 or children over age 2 who are not developmentally ready to climb or descend stairs do not have access to stairs indoors or outdoors.

C. Children over the age of two shall not have access to stairs with three or more risers that do not have protective barriers or guardrails on each side.

D. Protective barriers or guardrails on sides of stairs shall be constructed to prevent a child from climbing over, crawling or falling through, or becoming entrapped.

Compliance Determination for § 430 C & D: Handrails and barriers or guardrails on sides of stairs are required by the Uniform Statewide Building Code (USBC). The USBC requires that openings on guardrails not be greater than 4 inches. The inspector will look to ensure that stairs have barriers or guardrails and that the openings on guardrails are no greater than 4 inches. The inspector will contact the local building official if stairs do not have barriers or guardrails or the openings on guardrails are greater than 4 inches.

22 VAC 40-111-440. Decks and porches.

A. Children shall not have access to decks, porches, lofts, or balconies that do not have protective barriers or guardrails.

Interpretation for § 440 A: A porch, deck, or balcony that is more than 15 ½ inches above the floor or grade below must have a barrier.

B. Protective barriers or guardrails shall be constructed to prevent a child from climbing over, crawling or falling through, or becoming entrapped.

Compliance Determination for § 440 A & B: Barriers or guardrails on sides of decks, porches, lofts, and balconies are required by the Uniform Statewide Building Code (USBC). The USBC requires that openings on guardrails not be greater than 4 inches. The inspector will look to ensure that decks, porches, lofts, and balconies have barriers or guardrails and that the openings on barriers or guardrails are no greater than 4 inches. The inspector will contact the local building official if decks, porches, lofts, and balconies do not have barriers or guardrails or the openings on barriers or guardrails are greater than 4 inches.

22 VAC 40-111-450. Doors and windows.

A. Doors with clear glass panels that reach within 18 inches of the floor shall be clearly marked with decorative objects such as pictures, art work, or decals at the eye level of children in care.

B. Closet doors with latches shall be such that children can open the door from inside the closet.

Intent of § 450 B: Closet doors that can be opened from the inside prevent a child from being trapped in the closet. If a child cannot get into the closet, there is no danger of locking himself in. If a child can enter a closet, the child must be able to unlatch the closet door and exit the closet without assistance.

C. Bathroom doors with locks shall be designed to permit opening of the locked door from the outside with a readily accessible opening device.

Intent of § 450 C: Latches or locks on bathroom doors can allow children privacy when using the toilet, but caregivers must be able to easily open the door from the outside in case the child needs adult assistance.

D. Windows and doors used for ventilation shall be securely screened.

Intent of § 450 D: Screening windows and doors used for ventilation is important to prevent insects or rodents which may bite, sting, or carry disease from getting into the home.

Interpretation of § 450 D: A window or door is securely screened if it has a screen without holes and the screen is attached to the screen frame on all sides.

22 VAC 40-111-460. Animals.

A. Family pets shall not be allowed on any surfaces where food is prepared or served.

Intent of § 460 A: The presence of animals in food preparation or eating areas can increase the risk of contaminating food.

B. A pet or animal present at the home, indoors or outdoors, shall be in good health and show no evidence of carrying any disease.

Intent of § 460 B: The purpose of this standard is to prevent the spread of disease through contact with dirty or ill animals, and to prevent children from being bitten or otherwise injured by a sick animal.

C. Dogs or cats, where allowed, shall be vaccinated for rabies and shall be treated for fleas, ticks, or worms as needed.

D. The provider shall maintain documentation of the current rabies vaccination.

E. Caregivers shall closely supervise children when children are exposed to animals.

F. Children shall be instructed on safe procedures to follow when in close proximity to animals, e.g., not to provoke or startle them or remove their food.

G. Animals that have shown aggressive behavior shall not be kept in the home or on the grounds.

Interpretation of § 460 G: The determination of an animal's aggressive behavior is to be based on that particular animal's behavior and not based on the breed's aggressive tendencies. The American Society for the Prevention of Cruelty to Animals (ASPCA) states, "The ASPCA is opposed to laws that ban or discriminate against specific dog breeds or breed mixes without regard to the temperament and behavior of individual dogs."

H. Monkeys, ferrets, reptiles, psittacine birds (birds of the parrot family), or wild or dangerous animals shall not be in areas accessible to children during the hours children are in care.

Intent of § 460 H: Monkeys, ferrets, reptiles, and psittacine birds have been identified by the American Academy of Pediatrics as being unsuitable for family day homes due to their being a source of illness for people.

Reptiles are cold-blooded air-breathing animals covered with scales, for example: snakes, lizards, and turtles. Reptiles (and amphibians, such as water frogs) have been related to outbreaks of salmonella according to the Centers for Disease Control. Reptiles and amphibians are commonly found in aquariums and terrariums. They carry germs in their bodies that they put into their environments and that can cause serious disease in humans. Touching the animals, their containers, or even the necessary care of these animals by adults where children are in care poses too high a risk to the health

County of Fairfax, Virginia

MEMORANDUM

DATE: April 26, 2011

TO: Barbara Berlin, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Angela Kadar Rodeheaver, Chief MAD for AKR
Site Analysis Section
Department of Transportation

SUBJECT: Transportation Impact

REFERENCE: SE 2011-MVU-002; Muhammad T. Butt (Sunny Day Care)
Land Identification Map: 110-1 ((27)) 11A

Transmitted herewith are the comments of the Department of Transportation with respect to the referenced application. These comments are based on the informational packet made available to this department on March 24, 2011 and plat dated February 10, 2005.

The proposed application for a home child care facility to accommodate up to 10 children and 2 employees has been reviewed by this Department. Because the homes in the neighborhood are close to one another, the Department of Transportation recommends that the applicant create a drop-off/pick-up policy which requires parents to sign and adhere to an organized plan. Other than the noted recommendation, the Department of Transportation does not object to the approval of this application.

AKR/mdd

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FCDOT
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County of Fairfax, Virginia

MEMORANDUM

DATE: May 11, 2011

TO: Barbara Berlin, Director
Zoning Evaluation Division

FROM: Barbara A. Bryon, Director
Office of Revitalization and Reinvestment (OCRR)

SUBJECT: SE 2011-MV-002, 8740 Talbott Farm Drive

The Office of Community Revitalization and Reinvestment (OCRR) has reviewed the above referenced Special Exception application date stamped as "Received Department of Planning and Zoning September 29, 2010" and a Statement of Justification and Floor Plan date stamped as "Received Department of Planning and Zoning June 28, 2010".

The operational characteristics of the proposed expanded home child care use raises serious concerns and are not conducive to revitalization. In particular, it appears that the applicant does not have adequate on-site parking to handle employee parking and the increased volume of pick-off and drop off activity of clients. The application assumes some use of common area property of the homeowner association in order to address their parking need, but has not provided proof that the homeowners' association has sanctioned such use. Additionally, the applicant should demonstrate that adequate safety precautions have been taken to ensure that the storm structure in the backyard located near to the outdoor play area does not present a safety hazard to the children under their care.

cc. Nick Rodgers
OCRR Files

Office of Community Revitalization and Reinvestment
12055 Government Center Parkway, Suite 1048
Fairfax, VA 22035
703-324-9300, TTY 711
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APPENDIX 13

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is s submission requirement for rezoning to the PRC District. A GENERALIZED DEVELOPMENT PLAN (GDP) is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A CONCEPTUAL DEVELOPMENT PLAN (CDP) is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A FINAL DEVELOPMENT PLAN (FDP) is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may be function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggared work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District
ADU	Affordable Dwelling Unit
ARB	Architectural Review Board
BMP	Best Management Practices
BOS	Board of Supervisors
BZA	Board of Zoning Appeals
COG	Council of Governments
CBC	Community Business Center
CDP	Conceptual Development Plan
CRD	Commercial Revitalization District
DOT	Department of Transportation
DP	Development Plan
DPWES	Department of Public Works and Environmental Services
DPZ	Department of Planning and Zoning
DU/AC	Dwelling Units Per Acre
EQC	Environmental Quality Corridor
FAR	Floor Area Ratio
FDP	Final Development Plan
GDP	Generalized Development Plan
GFA	Gross Floor Area
HC	Highway Corridor Overlay District
HCD	Housing and Community Development
LOS	Level of Service
Non-RUP	Non-Residential Use Permit
OSDS	Office of Site Development Services, DPWES
PCA	Proffered Condition Amendment
PD	Planning Division
PDC	Planned Development Commercial
PDH	Planned Development Housing
PFM	Public Facilities Manual
PRC	Planned Residential Community
RC	Residential-Conservation
RE	Residential Estate
RMA	Resource Management Area
RPA	Resource Protection Area
RUP	Residential Use Permit
RZ	Rezoning
SE	Special Exception
SEA	Special Exception Amendment
SP	Special Permit
TDM	Transportation Demand Management
TMA	Transportation Management Association
TSA	Transit Station Area
TSM	Transportation System Management
UP & DD	Utilities Planning and Design Division, DPWES
VC	Variance
VDOT	Virginia Dept. of Transportation
VPD	Vehicles Per Day
VPH	Vehicles per Hour
WMATA	Washington Metropolitan Area Transit Authority
WS	Water Supply Protection Overlay District
ZAD	Zoning Administration Division, DPZ
ZED	Zoning Evaluation Division, DPZ
ZPRB	Zoning Permit Review Branch